

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Melissa Thomas, on behalf of himself
individually and all others similarly
situated,

Plaintiff,

v.

Pawn America Minnesota, LLC, Payday
America, Inc., and PAL Card Minnesota,
LLC,

Defendants.

Case No. 21-cv-02554 (PJS/HB)

Randell Huff, on behalf of herself
individually and all others similarly
situated,

Plaintiff,

v.

Pawn America Minnesota, LLC, Payday
America, Inc., and PAL Card Minnesota,
LLC,

Defendants.

Case No. 21-cv-02569 (PJS/HB)

Megan Murillo, on behalf of herself
individually and all others similarly
situated,

Plaintiff,

v.

Case No. 21-cv-02574 (PJS/HB)

Pawn America Minnesota, LLC, Payday
America, Inc., and PAL Card Minnesota,
LLC,

Defendants.

ORDER CONSOLIDATING ACTIONS

This matter comes before the Court on Plaintiffs' Unopposed Motion for Consolidation of Related Actions. The Court finds it appropriate to rule on this motion on the papers without a hearing.¹ For good cause shown, the Court grants the motion as specifically set forth herein.

CURRENTLY FILED CASES

1. The above captioned actions will be consolidated into one consolidated action. As the first filed action, *Thomas v. Pawn America Minnesota, LLC, et al.*, No. 21-cv-02554, (D. Minn.) will be the Lead Case. The consolidated action shall bear the case caption: *In re Pawn America Consumer Data Breach Litigation*, Case No. 21-cv-02554 (PJS/HB).

2. Every document filed in the consolidated action and in any separate action subsequently consolidated with this action shall be filed in the Lead Case. The Clerk of the Court is directed to add all Plaintiffs, Defendants, and their attorneys of record from the related actions to the Lead Case. Any lawyer who has been admitted *pro hac vice* in any of the actions need not seek *pro hac vice* admission in any other action. Any lawyer who has filed a notice of appearance in any of the actions need not file an appearance in any

¹ The hearing on this motion scheduled for January 18, 2022, is therefore CANCELED.

other action. It is incumbent upon each lawyer to ensure their appearance is listed in the consolidated action for ECF purposes.

3. The Clerk of Court is directed to transfer all pending motions in the above-captioned cases to the Lead Case.

4. The Clerk of Court is directed to docket a copy of this Order in case numbers 21-cv-2569 (PJS/HB) and 21-cv-2574 (PJS/HB).

5. The Clerk of Court is directed to administratively close case numbers 21-cv-2569 (PJS/HB) and 21-cv-2574 (PJS/HB) and enter the following notation: “DO NOT DOCKET. ALL DOCUMENTS SHOULD BE FILED IN 21-cv-2554 (PJS/HB).”

6. Plaintiffs shall file a consolidated amended complaint no later than **January 7, 2022**.

7. Absent agreement of the parties or further order of the Court to the contrary, Defendants will not be required to answer or otherwise respond to the initial complaints in these actions. The parties shall meet and confer and shall file a stipulation no later than **January 7, 2022**, proposing a date for Defendants to answer or otherwise respond to the consolidated amended complaint and further proposing a briefing schedule for any motions to dismiss that may be filed in response to the consolidated amended complaint.

NEWLY FILED OR TRANSFERRED ACTIONS

8. This Order shall apply to all subsequently filed class actions alleging data breach claims similar to those set forth in the above captioned consolidated actions and brought on behalf of individuals who received a Notice of Data Breach letter from the Defendants relating to the September 28, 2021 ransomware attack on Defendants’

computer servers.

9. When an action that relates to the same subject matter and asserts substantially similar claims as this consolidated action is hereafter filed in, removed to, or transferred to this Court and assigned to the undersigned, it shall be consolidated as part of *In re Pawn America Consumer Data Breach Litigation*.

10. Counsel must call to the attention of the Clerk the filing or transfer of any case that might properly be consolidated with this action.

11. With respect to such newly filed or transferred actions, the Clerk of Court shall:

- docket a copy of this Order in the separate file for such action;
- make an appropriate entry in the Lead Case docket that a new case has been assigned; and
- note on the docket that, upon entry of this Order, all papers shall be filed in the Lead Case file and no further papers shall be filed in that individual case docket.

12. All Plaintiffs in this consolidated action shall work together to coordinate discovery, where appropriate and practicable, in a manner that reduces needless duplication and inefficiency, keeping in mind the goal of Federal Rule of Civil Procedure 1 to promote the just, speedy, and inexpensive resolution of this action.

IT IS SO ORDERED.

Dated: December 7, 2021

s/Hildy Bowbeer
HILDY BOWBEER
United States Magistrate Judge